IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 11140 of 2005

Between:

Dasari Chinnaiah, S/o. Yeranna,
R/o. Yerragunta Village, Sirivella Mandal, Kurnool District.

..... PETITIONER

AND

1 The Commissioner, A.P. Charitable and Hindu,
Religious Institutions and Endowments Department, Hyderabad.
2 The Asst. Commissioner of A.P. Hindu Religious Institutions and Endowments Department, Kurnool.
3 The Executve Officer, Sri Chennakesava Swamy Temple,
Yerraguntla Village, Sirivella Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not selling the lands in Sy.No.602 to an extent of Ac.8.15 cents situated at Yerraguntla Village, Sirivella Mandal, Kurnool District, as per law is illegal, improper, arbitrary against the provisions of the Endowments Act, besides violating of Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondent to sell the land to the petitioner and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.U.RAMANJANEYULU

Counsel for the Respondents: GP FOR ENDOWMENTS

The Court made the following :

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ORAL ORDER

The learned counsel for the petitioner seeks permission to withdraw the writ petition as he realizes that the writ petition has been filed prematurely on the basis of rumors that the 3rd respondent-Devastanam is likely, but at some time in future to auction the lands of the 3rd respondent-Devastanam, which are in his possession as cultivating tenant. He also seeks liberty to pursue appropriate remedies as and when action is in fact taken to auction the lands.

In view of the representation made, the writ petition is dismissed as withdrawn with liberty to pursue appropriate remedies as and when cause of action enures to him to pursue such remedies.

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GODA RAGHURAM,J

14TH JUNE 2005

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TO

1 The Commissioner, A.P. Charitable and Hindu,
Religious Institutions and Endowments Department, Hyderabad.

2 The Asst. Commissioner of A.P. Hindu Religious Institutions and Endowments Department, Kurnool.

3 The Executve Officer, Sri Chennakesava Swamy Temple, Yerraguntla Village, Sirivella Mandal, Kurnool District.

4. CCS to G.P for Endowments, High Court Buildings, High Court of A.P.Hyderabad(OUT)

5. Two C.D.Copies